UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/703,888	11/01/2000	Peter C. Berkman	SOFTECP.014A	2809

7590   06/21/2005

MARK D. KIRKLAND
FISH & RICHARDSON P.C.
500 ARGUELLO STREET
SUITE 500
REDWOOD CITY, CA 94063

EXAMINER
BATES, KEVIN T

ART UNIT	PAPER NUMBER
2155	

DATE MAILED: 06/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/703,888	BERKMAN ET AL.
	Examiner	Art Unit
	Kevin Bates	2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 December 2004*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-54* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-54* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

Response to Amendment

This Office Action is in response to a communication made on December 17,

2004.

Claims 1-54 are pending in this application.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1–35, 40-47, and 50-54 are rejected under 35 U.S.C. 102(b) as being

anticipated by Kearns (5946831).

Regarding claim 1, Kearns discloses a scalable enterprise application

collaboration system comprising: a central host including a fault tolerant central registry

system (Column 4, lines 20 – 25) having a first central registry and a redundant-central

registry (Column 5, lines 16 – 18; Column 13, lines 41 – 44), wherein the central host is

configured to manage a plurality of reusable distributed objects (Column 4, lines 26 –

28; lines 33 – 40; Column 7, lines 41 – 43), send configuration change alerts to the

plurality of reusable distributed objects (Column 14, lines 42 – 44; Column 8, lines 6 –

8), and provide configuration data to the plurality of reusable distributed objects from

one of the first central registry and the redundant central registry is used (Column 14,

lines 34 – 38); the plurality of reusable distributed objects, wherein the polarity of

reusable distributed objects are in communication with the central host to receive

configuration change alerts and to download configuration data from the central host's

fault tolerant central registry system (Column 14, lines 36 – 44); and a plurality of

heterogeneous applications, wherein the plurality of heterogeneous applications are

configure to communicated via the plurality of reusable distributed objects in

accordance with the configuration data (Column 9, lines 18 – 22; Column 8, line 61 –

Column 9, line 14).

Regarding claims 2 and 16, Kearns discloses a method of centrally managing

distributed components (Column 4, lines 20 – 25) comprising: storing in a first computer

system a central registry database including configuration information related to a

distributed component located in a first remote computer system and a second

distributed component located in a second remote computer system (Column 4, lines 26

– 40), wherein the first distributed component communicated with a first enterprise

application and the second distributed component communicates with a second

enterprise application (Column 1, lines 21 – 35); receiving requests from the distributed

component in an enterprise application system for configuration information update

requests (Column 15, lines 11 – 15); determining configuration changes to be

implemented in response to the requests; modifying the central registry database to

reflect at least a portion of the configuration changes (Column 5, lines 32 – 40; Column

14, lines 52 – 53); allocating the configuration changes to the corresponding distributed

components; and transferring the configuration changes to the corresponding

distributed components wherein the configuration changes are implemented in the

corresponding distributed components (Column 5, lines 36 – 40; Column 15, lines 3 –

6).

Regarding claim 9, Kearns discloses a method of centrally managing distributed

components (Column 4, lines 20 – 25) comprising: receiving at a first computer system

data translation and messaging configuration information from a configuration

information input module wherein the configuration information is accessed and

modified by a user and sent to the first computer system (Column 7, line 66 – Column 8,

line 10); determining configuration information changes to be implemented in response

to the data translation and messaging information (Column 8, lines 8 – 17; Column 7,

lines 56 – 65); modifying a central registry database to reflect at least a portion of the

configuration changes (Column 5, lines 32 – 37), wherein the central registry database

is in the first computer system; allocating the configuration changes to corresponding

distributed components located in remote computer systems; and transferring the

configuration changes to the corresponding distributed components wherein the

configuration changes are implemented in the corresponding distributed components

(Column 5, lines 36 – 40).

Regarding claims 23 and 54, Yu discloses a distributed enterprise application

integration system (Column 4, lines 20 – 25) comprising: a central control module

stored in a first computer (Column 4, lines 20 – 21), the central control module including

a central registry database used to store configuration data about a distributed

enterprise application system (Column 5, lines 32 – 40), wherein the central control

module is configured to process requests for component configuration updates (Column

15, lines 11 – 15), process changes for the central registry database, and forward
component configuration data to a plurality of distributed components (Column 5, lines
36 – 40); and the plurality of distributed components including corresponding
component control modules (Column 4, lines 26 – 28), the plurality of distributed
components stored on a plurality of computers (Column 14, lines 11 – 13), wherein the
plurality of distributed components are configured to communicate with one or more
enterprise applications and perform data related and messaging activities in compliance
with component configuration data, and wherein the component control modules are
configured to implement component configuration data and communicate with the
central control module to receive component configuration data (Column 4, lines 33 –
40), send requests for component configuration updates (Column 15, lines 11 – 15),
and send changes to the central registry database (Column 14, lines 52 – 53).

Regarding claim 28, Kearns discloses a distributed, multi-platform application
integration system (Column 4, lines 11 – 14) comprising: a central host (Column 4,
lines 20 – 21) including a central registry system (Column 5, lines 32 – 40); a plurality of
application hosts including corresponding control brokers wherein the control brokers
are configured to communicate with the central registry system to receive configuration
data (Column 4, lines 25 – 36; Column 5, lines 32 – 40); and a plurality of multi-platform
applications corresponding to the plurality of application hosts wherein the plurality of
multi-platform applications are configured to communicate via the plurality of application
hosts in accordance with the configuration data (Column 4, lines 25 – 36).

Regarding claims 3, 10, 17, 24, and 34, Kearns discloses that the configuration information includes, at least one of, data translation, routing, formatting, scheduling, collaborations, and message identification (Column 4, lines 33 – 35).

Regarding claims 4, 11, 18, 25, and 35, Kearns discloses that the configuration information includes, at least, data translation (Column 9, lines 50 - 52), routing (Column 4, lines 33 – 35), formatting (Column 9, lines 50 - 52), scheduling (Column 4, lines 33 – 35), collaborations (Column 4, lines 33 – 37), and message identification (Column 4, lines 33 – 35).

Regarding claims 5, 8, 14, 15, 21, 22, 26, 27, 30, and 31, Kearns discloses that the central registry database communicates with a plurality of subordinate and duplicate registry databases (Column 12, lines 57 – 64), and the plurality of communication with the distributed components subordinate registry databases are in communication with the distributed components (Column 14, lines 52 – 53).

Regarding claims 6, 12, and 19, Kearns discloses that the configuration information includes data translation and messaging information (Column 9, lines 50 – 52).

Regarding claims 7, 13, and 20, Kearns discloses that the configuration information includes component and business logic connectivity information (Column 4, lines 26 – 28).

Regarding claim 46, Kearns discloses that receiving requests from distributed components in an enterprise application system includes receiving requests from

distributed components that facilitate communication among enterprise applications
(Column 9, lines 37 – 47).

Regarding claim 47, Kearns discloses allocating the configuration changes to
the corresponding distributed components includes allocating the configuration changes
to a control broker, wherein the control broker includes a broker process and the control
broker is associated with a plurality of the one or more enterprise applications (Column
5, lines 36 – 40).

Regarding claim 49, Kearns discloses that the configuration information includes
data mapping (Column 7, lines 49 – 55).

Regarding claim 50, Kearns discloses a control broker configured to
communicate with one or more of the one or more enterprise applications (Column 4,
lines 20 – 25).

Regarding claim 51, Kearns discloses that the control broker includes at least
one of a configuration change process, a monitor process, a status process and an alert
process (Column 7, line 66 – Column 8, line 1).

Regarding claim 29, Kearns discloses that a plurality of application connectors
wherein the plurality of application connectors facilitate communication between the
plurality of application hosts and the corresponding plurality of multi-platform
applications (Column 4, lines 26 – 28).

Regarding claim 32, Kearns discloses that the central registry system includes: a
central registry database that is configured to store configuration information about the
plurality of application hosts; and a central registry service that is configured to

communicate configuration updates to the plurality of application hosts (Column 5, lines 32 – 40).

Regarding claim 33, Kearns discloses that the control broker includes: a local registry database that is configured to store configuration information about at least one of the plurality of application hosts (Column 5, lines 32 – 40); and a monitoring module that is configured to monitor the application host (Column 4, lines 32 – 35).

Regarding claims 40 and 53, Kearns discloses a method for integrating distributed applications (Column 4, lines 14 – 19) comprising: managing requests for configuration changes from at least a first distributed component servicing distributed applications in an enterprise application system (Column 15, lines 11 – 15); collecting configuration change information from a plurality of distributed components related to the requests for configuration changes (Column 14, lines 36 – 44; Column 8, lines 4 – 5); and disseminating the configuration change information related to the requests for configuration changes to one or more of the plurality of distributed components servicing distributed applications (Column 14, lines 53 – 54) wherein at least a first application is executed on a first operating system and a second application is executed on a second operating system wherein the first operating system and the second operating system are not the same operating system (Column 8, line 61 – Column 9, line 4).

Regarding claims 41 and 52, Kearns discloses a method for integrating distributed applications comprising: sending requests for data-related and messaging-related configuration changes from a first host to a central host (Column 15, lines 11 –

15); receiving at the first host configuration change information from a central host

related to the requests for configuration changes; and implementing at the first host data

translation and messaging configuration changes according to the configuration change

information (Column 5, lines 32 – 40).

Regarding claim 42, Kearns discloses a method of integrating a plurality of multi-

platform applications located on a distributed network comprising: providing a plurality

of integration modules corresponding to a plurality of multi-platform applications

(Column 4, lines 26 – 28), wherein the plurality of integration modules perform data-

related and messaging activities enabling communication among the plurality of multi-

platform applications (Column 4, lines 26 – 28); and providing a central host module,

including a central database of configuration data, wherein the central host module

manages and distributes configuration data to the plurality of integration modules

(Column 5, lines 32 – 40), wherein the configuration data includes instructions for

allowing communication among the plurality of multi-platform applications (Column 4,

lines 35 – 41).

Regarding claim 43, Kearns discloses that the central registry database

communicates with a plurality of subordinate registry databases (Column 12, lines 57 –

64), and the plurality of communication with the distributed components subordinate

registry databases are in communication with the distributed components (Column 14,

lines 52 – 53).

Regarding claim 44, Kearns discloses a method of implementing a distributed

application communication system comprising: creating a representation of a first set of

data that is sent from a first independent application to a data translation module,

translated into a second set of data, and forwarded to a second independent

application; converting the representation into sets of data translation and messaging

instructions (Column 9, lines 50 – 58); and distributing the sets of data translation and

messaging instructions to a first data translation implementation module communicating

with a first independent application and a second data translation implementation

module communicating with a second independent application, wherein the first data

translation implementation module communicates with the second data translation

implementation module in accordance with the sets of data translation and messaging

instructions (Column 14, lines 52 – 53; Column 5, lines 32 – 40; Column 1, lines 39 –

47).

Regarding claim 45, Kearns discloses a distributed application integration system

comprising: a central host means for representing collective configuration information

(Column 4, lines 20 – 28); and a central host means for allocating portions of the

collective configuration information to a plurality of application hosts communicate with a

plurality of corresponding multi-platform applications and the plurality of application

hosts implement the portions of the collective information to enable communication

among the plurality of corresponding multi0platform applications (Column 4, lines 26 –

41).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 36-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kearns.

Regarding claims 36, 37, 38, and 39, Kearns discloses a distributed system with a plurality of multi-platform applications (Column 4, lines 14 – 19), but does not explicitly indicate a customer relationship management system, a supply chain management system, an enterprise resource planning system, and a financial management and planning application. Kearns discloses that the multi-platform applications are part of a financial institution that combines many applications (Column 2, lines 14 – 22) that are used by those systems and allow them to communication independent of the platform and the application protocol (Column 9, lines 18 – 23). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the integration of all the applications that a business/financial institution need to be able to communicate together and are dependent on each others information (Column 4, lines 42 – 51; Column 1, lines 21 – 35).

Claim 48 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kearns in view of Butterworth (5457797).

Regarding claim 48, Kearns discloses having replicated databases and nodes for failover, but does not explicitly indicate the load balancing. Butterworth discloses a multi-platform enterprise application that uses replication for both failover and load balancing (Column 21, lines 23 – 33). It would have been obvious to one of ordinary

skill in the art at the time the invention was made to use load balancing in Kearns

system in order to allow more applications and users to access information in the

databases at one time and still maintain the reliability of a replicated system (Column

21, lines 23 – 43).

Response to Arguments

Applicant's arguments filed December 17, 2004 have been fully considered but

they are not persuasive.

Regarding claim 1, the applicant argues that the reference, Kearns, does not

disclose a central host configured to manage a plurality of reusable distributed objects,

send configuration change alerts to the plurality of reusable distributed objects, and

provide configuration data to the plurality of reusable objects. The examiner disagrees;

the reference discloses the system managing a plurality of reusable objects on Column

5, lines 9 – 11, where the system monitors many applications local and remote (Figure

2, elements 36 and 40). The reference also discloses sending alerts and updates that

occur in database and configuration files to a plurality of nodes which the changes affect

(Column 12, line 61 – Column 13, line 3; Column 13, line 41 – 53) where the system

sends out messages that the databases need to be resynchronized now that a change

has been made, and has the information about the change that has been made.

Regarding claims 2 and 16, the applicant argues that the reference, Kearns,

does not disclose storing in a computer system a central registry database including

configuration information related to distributed components, receiving requests from

distributed components for configuration information updates, and allocating changes to

corresponding distributed components. The examiner disagrees, the reference

discloses storing in a computer system a central registry database including

configuration information related to distributed components (Column 5, lines 32 – 40),

receiving requests from distributed components for configuration information updates

(Column 7, line 66 – Column 8, line 6, where the control point can receive requests from

nodes to updated configuration information), and allocating changes to corresponding

distributed components (Column 12, line 61 – Column 13, line 3; Column 13, line 41 –

53) where the system sends out messages that the databases need to be

resynchronized now that a change has been made, and has the information about the

change that has been made.

Regarding claims 9, 41, and 52, the applicant argues that the reference, Kearns,

does not disclose that information in the configuration database is the configuration of

distributed components, that the configuration information is translation information, and

that a first computer receives data translation and messaging configuration information

from a configuration information input module wherein the configuration information is

accessed and modified by a user and sent to the first computer system. The examiner

disagrees, the configuration information in the reference, Kearns, includes data

translation and messaging information (Column 4, lines 35 – 40; Column 9, lines 47 –

54) and the configuration information may be updated and distributed (Column 5, lines

32 – 40).

Regarding claims 23 and 54, the applicant argues that the reference, Kearns,

does not disclose a plurality of distributed components including corresponding

component control modules that send changes to the central registry database. The

examiner disagrees, the reference Kearns discloses nodes which can modify the central

registry database (Column 5, lines 32 – 40; Column 7, line 66 – Column 8, line 6).

Regarding claim 28, the applicant argues that the reference, Kearns, does not

disclose a plurality of application hosts that include corresponding control brokers

wherein the control brokers are configured to communication with the central registry to

receive configuration data. The examiner disagrees, the Kearns system discloses

system libraries associated with applications which handle communication between

applications (Column 4, lines 35 – 40) and communication to the system configuration

(Figure 2, elements 35, 36, and 37) and that the system libraries are dynamic bases on

the application needs (Column 4, lines 40 – 49) and the configuration of the system

which can be modified by nodes and can replicate its information to those nodes

(Column 5, lines 32 – 40).

Regarding claims 40 and 53, the applicant argues that the reference, Kearns,

does not disclose managing requests for configuration changes from at least a first

distributed component servicing distributed application in an enterprise application

system and collecting configuration change information from a plurality of distributed

components related to the requests for configuration changes. The examiner

disagrees; the reference, Kearns, discloses managing requests for configuration

changes from at least a first distributed component servicing distributed application in

an enterprise application system (Column 5, lines 32 – 40)and collecting configuration

change information from a plurality of distributed components related to the requests for

configuration changes (Column 12, line 58 – Column 13, line 3; Column 13, lines 41 –

53).

Regarding claim 42, the applicant argues that the reference, Kearns, does not

disclose that the system communicates between multi-platform applications or

distributing configuration data to a plurality of integration modules. The examiner

disagrees, the system has multi-platforms and applications running on those platforms

(Column 4, lines 15 – 18) and that configuration data is distributed to a plurality of

integration modules (Column 4, lines 35 – 40).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

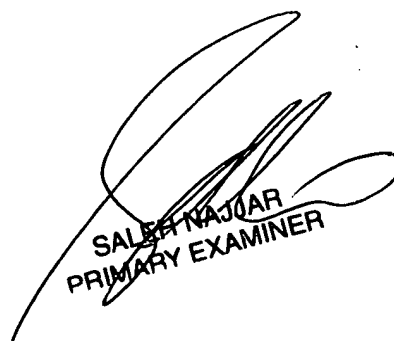than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Kevin Bates whose telephone number is (571) 272-

3980. The examiner can normally be reached on 8 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for

the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

KB

KB
June 15, 2005

SALEH NAJJAR
PRIMARY EXAMINER